SINGLE BENCH

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. No. 5350 /2005

PETITIONER : Supritendent. Posts,
Bilaspur Division,
Bilaspur (C.G.)

Versus

RESPONDENTS :

1. Smt. Narmada Bai aged 55 years Wd/o Late Firangi Lal @ Firan Lal Rathore
2. Dilharan aged 38 years S/o Late Shri Firangi Lal
   Both R/o Village Sukli Tahsid Janjgir Distt. Janjgir Champa.
3. Sat Bai aged 47 years Wd/oFirangi Lal Rathore
4. Rajesh Kumar aged 29 years S/o Firangi Lal
5. Ramesh Kumar aged 27 years S/o Late Firan Lal
6. Dinesh Kumar aged 25 years S/o Late Firangi Lal
7. Satish Kumar aged 24 years S/o Late Firangi Lal
8. Pradeep Kumar aged 21 years S/o Late Firangi Lal
9. Ku. Rajeshwari aged 19 years D/o Late Firangi Lal
10. Ku. Rekha aged 18 years D/o Late Firan Lal
11. Minor Manoj Kumar aged 10 years S/o Late Firangi Lal
    All resident of Village Bannak, Sirgitti Post Sirgitti, Tahsil and District Bilaspur (C.G.)

P.R. No. 5440/05 BK Kalkuriya
Presented on 19/10/05
dated

शपथ आयुक्त
एस. के. शुक्ला
बिलासपुर (छ.ग.)
बिलासपुर तहसील कोर्ट

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(72)

मामला क्रमांक ....W.P. 5350/.... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक एवं आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	9-11-2005 Heard Mr. S.K. Beriwal, counsel for the petitioner. This writ petition has been filed under Article 226/227 of the Constitution of India, with a prayer to direct the respondents to settle and decide the matter amicably for receiving family pension in the name of Mrs. Narmada Bai as per the provisions of CCS (Pension) Rules, 1972. Brief facts leading to filing of this writ petition are that Firangi Lal was working as postman in the petitioner Department who died while in service leaving behind two wives and nine children, one from the first wife and eight from the second wife. A petition for issuance of succession certificate was filed before the Civil Judge, Bilaspur and learned Civil Judge issued succession certificate in favour of all the respondents herein. In the succession proceedings, the Superintendent, Postal Department was also party. Learned counsel for the petitioner submits that in view of the provisions of Rule 54 of the CCS (Pension) Rules, 1972, the second wife of Firangi Lal is not entitled for family pension. The relief sought for by the petitioner for directing private parties to amicably settle the matter cannot be granted in writ jurisdiction. If the petitioner is not satisfied with the succession certificate, then he is at liberty to approach the appropriate forum and act in accordance with the relevant Rules. The writ petition is disposed of, accordingly. Consequently, I.A.No.9208/2005 standsdisposed of. Sd/- L.C.Bhadoo Judge	

Soma

SP/FS/2005 - 20,000